

***The Department of the Treasury
Office of Inspector General***

Report Title

PASSENGER PROCESSING: Changes To The Advance Passenger Information System Have Been Made But Its Value As An Enforcement Tool Is Dependent On Factors Outside Customs Control (OIG-03-059; issued February 12, 2003) (Limited Official Use)

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Synopsis

The U.S. Customs Service's (Customs) Advance Passenger Information System (APIS) provides airport inspectors from both the Immigration and Naturalization Service (INS) and Customs with biographical information on airline passengers and crewmembers from foreign countries. While initially a voluntary program, a November 2001 law now requires all carriers to provide this information. Customs is responsible for ensuring that air carriers comply with APIS requirements and Customs is authorized to issue penalties to airlines that do not comply.

APIS identifies individuals to intercept and examine. INS and Customs personnel intercept targeted passengers or crew for examination. We found concerns with the system that hindered Customs' enforcement efforts. We also noted that penalties for noncompliance were administered inconsistently.

To enhance enforcement efforts, we recommended that INS and Customs monitor the usefulness of APIS as an enforcement tool. Additionally, we recommended that Customs take a more uniform approach to enforcing compliance with APIS requirements. Customs has taken appropriate action to address these recommendations.

Customs was divested from the Department of the Treasury to the Department of Homeland Security (DHS) in March 2003 pursuant to the Homeland Security Act of 2002. Accordingly, audit follow-up is the responsibility of DHS management.

Number and type of APIS seizures and arrests from January 1 to September 15, 2002	
Category	Number
Drug Related	122
Warrants	51
Trademark Violations	10
Check Fraud	1
Counterfeit money/checks	1
Failure to Declare	15
Child Pornography	1
Stolen credentials	3
Cuban merchandise/travel	11
Cigarette smuggling	3
Seized as Evidence	1
Illegal Alien	1
Seizures (details not available)	3
Grand Total	223